

REMARKS/ARGUMENTS

The following remarks are believed responsive to the points raised by the Office Action dated November 7, 2006.

The Pending Claims

Claims 1-22, 27, 28 and 30-32 are pending in the application, and claims 23-26 and 29 have been canceled. Claim 1 has been amended. No new matter has been added. Claim 1 is supported at, for example, paragraphs [0057] and [0075] of the specification, as well as originally filed claims 23 and 26.

The Office Action

For convenience, the following remarks will address the rejections in the same order they were raised in the Office Action.

Rejections under 35 USC 112

Claims 6-9, 11-17, and 20-22 were rejected under 35 USC 112, first and second paragraphs, in view of the recitation of “friction welding process” in independent claim 1 and the recitation of various elements in depending claims 6, 9, 11, 14, 15, and 20.

Claim 1 has been amended to delete the reference to “friction welding process,” and thus, the rejections under 35 USC 112 first and second paragraphs have been obviated.

Double Patenting Rejections

a). Claims 1-27 were rejected on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. 6,913,669 to Ensinger (hereinafter referred to as “Ensinger ‘669”) by itself, or in view of a page from *Wikipedia* printed from the internet indicating the page “was last modified 19:19, 17 August 2006,” identified in the Office Action as “*Friction Welding*” (hereinafter referred to “Friction Welding 2006”).

b). Claim 28 was rejected on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1-26 of Ensinger ‘669 alone, or in view of

Friction Welding 2006, in further view of U.S. Patent No. 6,390,908 to Chen et al. (hereinafter referred to as "Chen et al.").

c). Claims 30-32 were rejected on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1-26 of Ensinger '669, alone, or in view of Friction Welding 2006, in further view of U.S. Patent No. 6,251,215 to Zuniga et al. (hereinafter referred to as "Zuniga et al.").

Each of these rejections is separately and respectfully traversed.

As an initial point, it is submitted that all of the rejections based in part over Friction Welding 2006 are improper. The page printout accompanying the Office Action clearly states the page "was last modified 19:19, 17 August 2006," and is thus not prior art to the claimed invention. Moreover, it is not clear when this page was published, if it was published (the PTO-892 Form accompanying the Office Action does not provide any publication information). While the printout refers to some dates before 2006, there is no evidence that any of this information is, in fact, prior art, and this information has not been substantiated.

However, in view of the amendment to claim 1 (deleting the recitation of "friction welding process" and reciting the plastic material of the bearing ring), it is submitted that the double patenting rejections set out above are moot.

Ensinger '669 does not claim a retaining ring comprising a bearing ring made of a plastic material comprising a thermoplastic material, selected from the group consisting of PPS and PEEK, and abrasion-reducing and/or wear-reducing additives selected from the group consisting of PTFE, polyimide, and nanoparticles.

Neither Chen et al. nor Zuniga et al. teach or suggest the claimed retaining ring. For example, there is no teaching in either Chen et al. or Zuniga et al. of a bearing ring comprising abrasion-reducing and/or wear-reducing additives elected from the group consisting of PTFE, polyimide, and nanoparticles admixed with plastic material (*see*, Chen et al., col. 4, lines 55-62, col. 5, lines 47-63, and col. 6, lines 53-56, and Zuniga et al., col. 5, line 66, through col. 6, line 6).

Accordingly, it is respectfully submitted that the double patenting rejection is improper, and should be withdrawn.

Rejections under 35 USC 103

a). Claims 1, 2, 8, 9, 20, 23, and 30-32 were rejected under 35 USC 103(a) as being unpatentable over Zuniga et al. in view of Friction Welding 2006.

b). Claims 1-4, 6-9, 11-13, and 18-22 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent Application Publication 2003/0070757 A1 to DeMeyer et al. (hereinafter referred to as “DeMeyer et al.”) in view of Friction Welding 2006.

c). Claims 10, 11, and 14-17 were rejected under 35 USC 103(a) as being unpatentable over Zuniga et al. in view of Friction Welding 2006 as applied to claims 1, 2, 8, 9, 20, 23, and 30-32 above, further in view of U.S. Patent Application Publication 2002/0049030 to Numoto et al. (hereinafter referred to as “Numoto et al.”).

d). Claims 24-28 were rejected under 35 USC 103(a) as being unpatentable over Zuniga et al. or DeMeyer et al. in view of Friction Welding 2006 as applied above, in further view of Chen et al.

Each of these rejections is separately and respectfully traversed.

As noted above with respect to the double patenting rejections, it is submitted that all of the rejections based in part over Friction Welding 2006 are improper, as Friction Welding 2006 is not prior art.

However, in view of the amendment to claim 1 (deleting the recitation of “friction welding process” and reciting the plastic material of the bearing ring), it is submitted that the rejections under 35 USC 103 set out above are moot.

None of Zuniga et al., DeMeyer et al., Numoto et al., or Chen et al., teach or suggest a retaining ring comprising a bearing ring made of a plastic material comprising a thermoplastic material, selected from the group consisting of PPS and PEEK, and abrasion-reducing and/or wear-reducing additives admixed with the plastic material, the

abrasion-reducing and/or wear-reducing additives selected from the group consisting of PTFE, polyimide, and nanoparticles.

For example, there is no teaching or suggestion in Zuniga et al. of a bearing ring comprising abrasion-reducing and/or wear-reducing additives elected from the group consisting of PTFE, polyimide, and nanoparticles admixed with plastic material (*see*, Zuniga et al., col. 5, line 66, through col. 6, line 6).

Similarly, there is no teaching or suggestion in DeMeyer et al. of a bearing ring comprising abrasion-reducing and/or wear-reducing additives elected from the group consisting of PTFE, polyimide, and nanoparticles admixed with plastic material (*see*, DeMeyer et al., paragraphs [0004], [008], [0022], and [0030], as well as claims 9 and 12).

The retaining ring of the present invention is patentably distinct from that of Zuniga et al. and DeMeyer et al. for the reasons set forth above. The facts that Numoto et al. may teach a snap ring and that Chen et al. may teach a ring including plastic is of no import. Numoto et al. simply does not cure the deficiencies of Zuniga et al., and Chen et al. simply does not cure the deficiencies of Zuniga et al. and DeMeyer et al., and therefore, the combinations also fail to render the present invention obvious.

Since the independent claim is allowable for the reasons set forth above, the dependent claims are allowable as they depend from the novel and non-obvious independent claim.

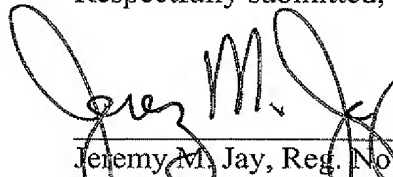
In summary, there is nothing in the cited references that would lead one of ordinary skill in the art to the claimed invention. For the reasons set forth above, reconsideration of the rejection is respectfully requested.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the

prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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